

IN THE UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF CALIFORNIA

DEBORAH E. JOHNSON and
GERALD D. JOHNSON,

Plaintiffs,

v.

FIRST FEDERAL BANK OF
CALIFORNIA,

Defendant.

CASE NO. C08-00264PVT

[Ordered Related to Case No. 08-01796
PVT]

[PROPOSED] ORDER GRANTING
DEFENDANT'S MOTION TO
DISMISS SECOND AMENDED
COMPLAINT

Hearing:

Date : October 7, 2008

Time: 10:00 a.m.

Courtroom: 5

Patricia V. Trumbell, Magistrate

PLEASE TAKE NOTICE that on October 7, 2008, at approximately 10:00 a.m.
in Courtroom "5" of the above-entitled Court, the Motion to Dismiss Plaintiffs' Second
Amended Complaint for Failure to State a Claim Upon Which Relief Can Be Granted
and Lack of Subject Matter Jurisdiction (the "Motion to Dismiss Second Amended
Complaint") of Defendant FIRST FEDERAL BANK OF CALIFORNIA ("Defendant")
against Plaintiffs GERALD JOHNSON and DEBORAH JOHNSON ("Plaintiffs") came
on for hearing.

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1 GOOD CAUSE APPEARING THEREFORE:

2 IT IS HEREBY ORDERED that Defendant's Motion to Dismiss Second Amended
3 Complaint is granted and the Second Amended Complaint filed by Plaintiffs hereby
4 dismissed with prejudice.

5
6 Dated: _____

Patricia V. Trumbell, Magistrate

PROOF OF SERVICE

STATE OF CALIFORNIA)
COUNTY OF LOS ANGELES)

I am employed in the County of Los Angeles, State of California. I am over the age of eighteen and not a party to the within action. My business address is Hemar, Rousso & Heald, , LLP ("the business") 15910 Ventura Blvd., 12th Floor, Encino, CA 91436-2829.

I am readily familiar with the business's practice for collection and processing of correspondence for mailing with the United States Postal Service; such correspondence would be deposited with the United States Postal Service the same day of deposit in the ordinary course of business.

On August 27, 2008, I served the foregoing document described as **[PROPOSED] ORDER GRANTING DEFENDANT'S MOTION TO DISMISS SECOND AMENDED COMPLAINT** on the interested parties in this action by placing a true and correct copy thereof in a sealed envelope addressed as follows:

DEBORAH E. JOHNSON
PO Box 4448
Carmel, CA 93921-4448

GERALD D. JOHNSON (Pro Se, Filing Party)
PO Box 4448
Carmel, CA 93921-4448

At my business address, I placed such envelope for deposit with the United States Postal Service by placing them for collection and mailing on that date following ordinary business practices.

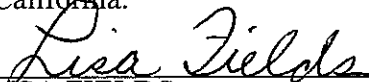
— I delivered such envelope(s) by hand to the offices of the addressees.

— I caused such copies to be facsimiled to the persons set forth.

— (State) I declare under penalty of perjury under the laws of the State of California that the foregoing is true and correct.

XX (Federal) I declare under penalty of perjury under the laws of the United States of America that I am employed in the office of a member of the bar of this court at whose direction the service was made.

Executed on August 27, 2008, at Encino, California.


LISA FIELDS